



Order

BEFORE THE BOARD OF DIRECTORS  
OF THE  
BOISE WARM SPRINGS WATER DISTRICT  
OF ADA COUNTY, IDAHO

125

IN THE MATTER OF THE INCLUSION OF CERTAIN )  
PROPERTY IN THE BOISE WARM SPRINGS WATER )  
DISTRICT OF ADA COUNTY, IDAHO, owned by ) ORDER  
Ann K. Lee, )

THIS MATTER came on regularly to be heard before the Board of Directors of the Boise Warm Springs Water District at a regularly called and convened meeting this 12<sup>th</sup> day of May, 2010, upon a Petition for Annexation (inclusion) of property to the Boise Warm Springs Water District filed and presented by Ann K. Lee, Petitioner and Owner of said property, a copy of which Petition marked Exhibit "A" is attached herein and made a part hereof by reference and attachment, and to a Notice of Hearing, said Petition for Annexation at this time and place published in The Idaho Statesman, a newspaper published in Boise, Idaho, and of general circulation in the District, on the dates of May 26, June 2, and June 9, 2010, the proof of which more fully appears in the Affidavit of Publication marked Exhibit "B" being attached hereto and incorporated herein and made a part hereof by incorporation and attachment. No person appeared to protest or object to the annexation (inclusion) of the property owned by the Petitioner.

Upon examining the Petition of Annexation (inclusion) of Property, hearing and examining the Petitioners and examining all proof (documentary and oral) submitted to the Board's consideration, the Board found and concluded that (i) the said Petition of Annexation (inclusion) of Property was in substantial compliance with law and executed by the Petitioners and acknowledged in the manner required by law; (ii) it would be in the best interest of the District and the Property affected to annex and include the property of the Petitioners, subject to all conditions enumerated in the said Petition and as hereinafter specified; and (iii) the Notice of Hearing of said Petition was given in the manner required by law.

NOW, THEREFORE, it is ORDERED that it would be in the best interest of the Boise Warm Springs Water District of Ada County, Idaho, that the property particularly and specifically described by Exhibit "A", attached hereto and incorporated herein by attachment, be, and the same hereby is, annexed and included within the boundaries of the Boise Warm Springs Water District, subject to all of the (i) limitations and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code; (ii) all conditions enumerated and specified in the Petition for Annexation marked Exhibit "A", incorporated herein and made a part hereof by attachment; and (iii) subject to all conditions specified in the motion for annexation as passed at the Board meeting of May 12, 2010.

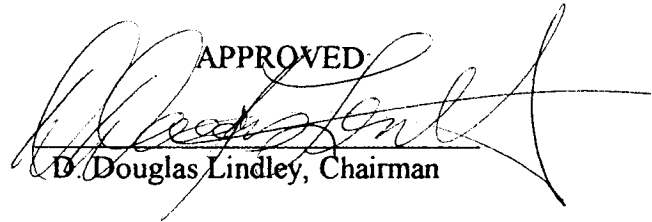
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TECHNICAL SUPPORT

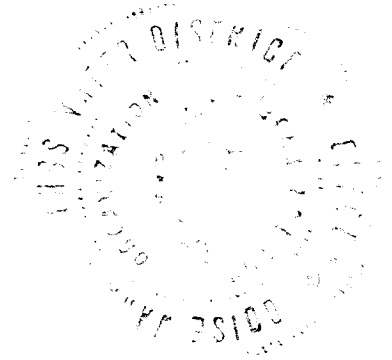
It is furthered ORDERED that the Attorney for the District file a certified copy of the ORDER together with copies of the attachments (Petition for Annexation, Affidavit of Publication and specific descriptions of the property annexed) with the Clerk of the District Court and obtain approval of the District Court of this ORDER.

ADOPTED AND APPROVED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho this 16<sup>th</sup> day of June, 2010.

APPROVED  
  
D. Douglas Lindley, Chairman

ATTEST:

  
Brenda Hines, Secretary





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THE  
BOARD OF DIRECTORS

OF THE

BOISE WARM SPRINGS WATER DISTRICT

IN THE MATTER OF THE ANNEXATION ) PETITION  
OF PROPERTY TO THE ) TO  
BOISE WARM SPRINGS WATER DISTRICT, ) ANNEX  
a political subdivision of the STATE OF IDAHO. ) No. 2010-01

THE UNDERSIGNED PROPERTY OWNER:

ANN K. LEE

Account No. 0940H

Tax Parcel No. R9227500920

Legal Description: LOT 12, BLOCK 6, WARM SPRINGS PARK, A SUBDIVISION

Property Address: 306 N. BACON DRIVE  
BOISE, IDAHO 83712

Does hereby petition the Board of Directors of the Boise Warm Springs Water District ( hereinafter "District") to annex to, and include within, the boundaries of the District the following described real property, together with (1) all improvements and appurtenances appertaining thereto and (2) all public streets, roads and alleys, abutting, adjoining and touching the hereinafter described property:

LOT 12, BLOCK 6, WARM SPRINGS PARK, A SUBDIVISION, AS FILED IN BOOK 11 AT PAGE 597, RECORDS OF ADA COUNTY, IDAHO, LOCATED IN THE WEST ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 12 AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, T. 3 N., R. 2 E. OF THE BOISE MERIDIAN, BOISE, ADA COUNTY, IDAHO.

In support of this Petition to Annex, the Petitioner covenants and agrees as follows:

(1) That the undersigned is the lawful owner of record of the above described real property (or are the purchasers by an unrecorded contract of sale with the authority to petition for annexation).

(2) That the undersigned has paid, at the time of filing this petition with the District, the Annexation Fee of \$ (WAIVED) fixed and established by the pertinent Resolution of the District, the receipt of which is hereby

acknowledged. It is further acknowledged that the undersigned will pay charges for legal advertising and legal services necessary to cover the costs incurred in the administrative process of annexing the above described property.

(3) That the undersigned has contracted, at her cost and expense, a main line and a service line from a building or structure to the District's water line, together with all the necessary appurtenances and machinery, in a manner and at the place designated and directed by the District, and in accordance with the plans, specifications and drawings approved by the District, its officers, agents and employees.

(4) That the undersigned hereby assigns, transfers and sets over to the District all rights, title, and interest in and to that portion of the main line and service line extending from the Petitioner's property line to the District's water line together with all necessary appurtenances and machinery thereto.

(5) The above described property is improved. It is now being used as:

A SINGLE FAMILY RESIDENCE.

(6) It is understood by the undersigned that this petition is made pursuant to Section 42-3218, Idaho Code, as amended, and that the setting of a time and place for hearing of said petition and publication of notice of said hearing pursuant to law does not construe acceptance of said petition by the District. Pursuant to the aforesaid statute, the Board of Directors may impose such terms and conditions under which said property may be included within the District as the Board sees fit, said conditions, however, to be announced prior to the hearing. After said announcement, petitioners may have the right to withdraw said petition, but shall have the right to reimbursement of the annexation fee or additional charges as above set forth.

WHEREFORE, your petitioner prays that the said Board of Directors of the Boise Warm Springs Water District accept this Petition and set a time for the hearing and publish notice thereof in accordance with law, and upon hearing, order the inclusion of the above described property within the boundaries of the Boise Warm Springs Water District in accordance with the terms of this Petition.

Dated this 6th day of May, 2010.

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STATE OF Idaho )

) SS.

COUNTY OF Ada )

On this 6th day of May, 2009, before me a Notary Public in and for the State of Idaho, personally appeared ANN K. LEE, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in the certificate first above written.

SEAL

Rory L. Baldwin

Notary Public for

Idaho

Residing at

Boise, Idaho

My Commission expires:

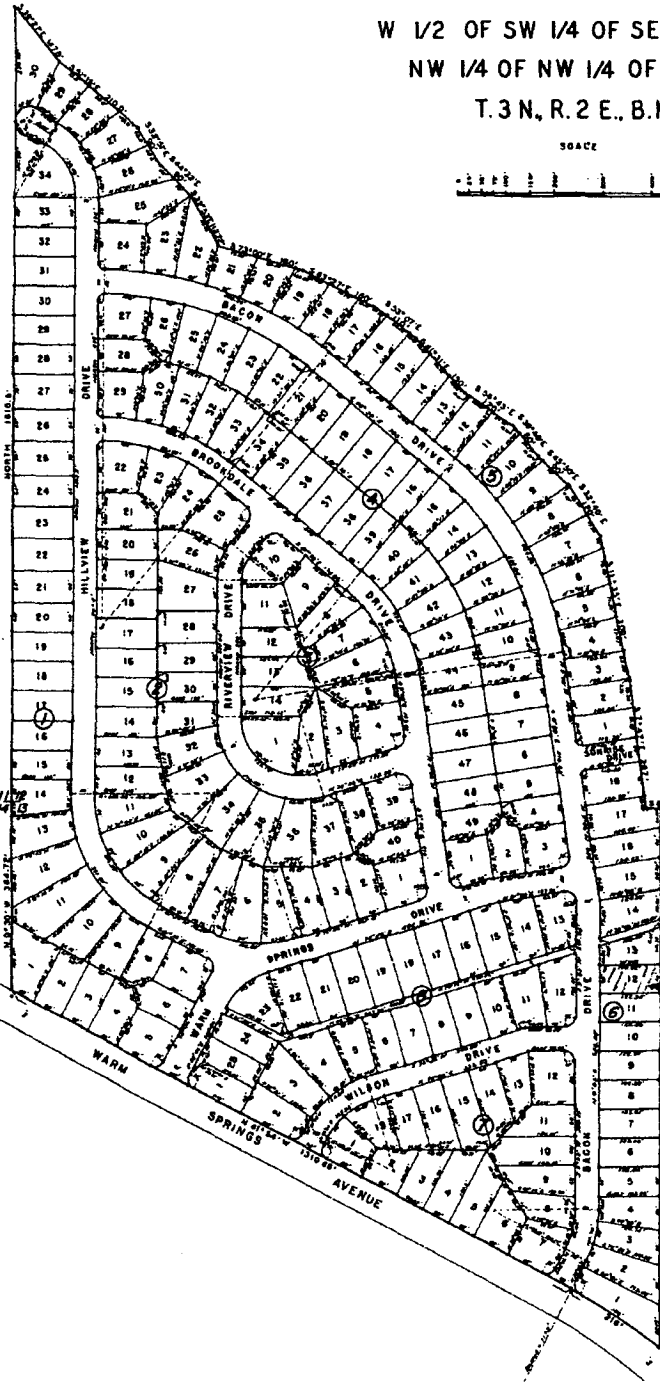
10/05/2010

EXHIBIT "A"

LYING WITHIN  
W 1/2 OF SW 1/4 OF SEC. 12 AND  
NW 1/4 OF NW 1/4 OF SEC. 13,  
T.3N., R.2E., B.M.

T. 3 N., R. 2 E., B. M.

**SECRET**

[illegible]

Lucinda S. McKen

STATE OF MICHIGAN }  
COUNTY OF ALTA }

On this 27th day of June, 1968 before me, Betty W. Wright a Notary Public in and for the State of Idaho, personally appeared \_\_\_\_\_ & \_\_\_\_\_ known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Betty L Knight  
Navy Arms Training of  
Dance. 1960

STATE OF IDAHO }  
COUNTY OF ADA } 253949

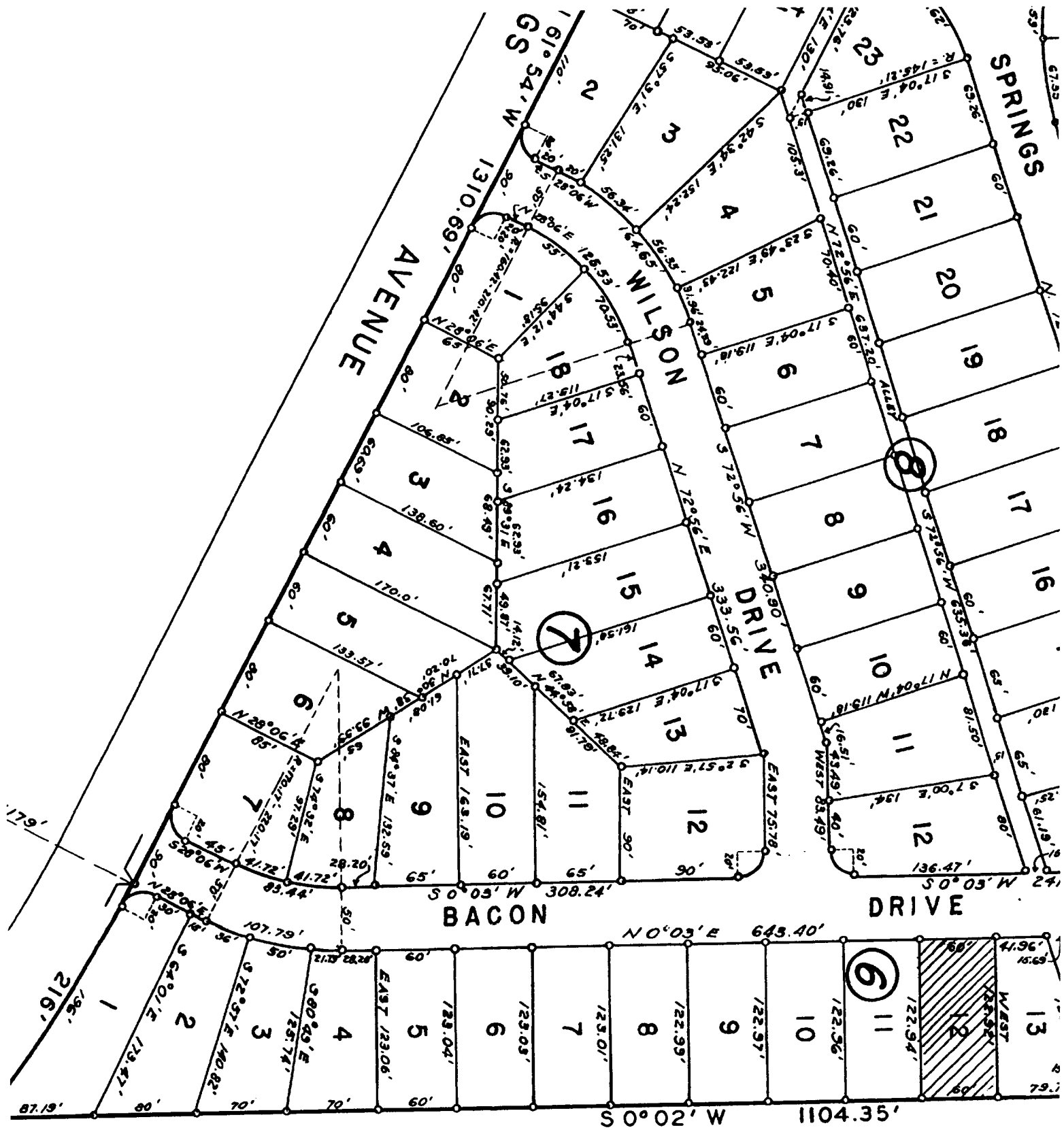
I hereby certify that this instrument was filed for record at the request of Louise B. Wilson at 29 minutes past 4 o'clock P. M. this 22<sup>nd</sup> day of Aug. A.D. 1966, in my office and duly recorded in Book 11 of Books of Deeds of page 237.

Wm. O. Peterson  
Ex-officio Recorder

306 N. BACON DR.  
SITE LOCATION

1. Gordon C. Smith, a licensed civil engineer, do hereby certify that the attached plan of Hanks Springs Park was made from actual surveys made during June 1966, and is correct.

Robert L. Gendall  
(License 1440 C. P. No. 31)





**EXHIBIT "B"**